

Message Text

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PAGE 01 NEW DE 01720 041504Z
ACTION L-03

INFO OCT-01 NEA-10 ISO-00 CPR-01 SCA-01 SCS-03 INR-07 /026 W
-----041513Z 058311 /41

R 011051Z FEB 77
FM AMEMBASSY NEW DELHI
TO SECSTATE WASHDC 017
INFO AMCONSUL BOMBAY
AMCONSUL CALCUTTA
AMCONSUL MADRAS

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EO 11652: NA
TAGS: OGEN, IN, CPAS, CGEN
SUBJ: COMMENTS ON PROPOSED DRAFT OF CONSULAR CONVENTION

REF: NEW DELHI 0494

SUBSEQUENT TO PREPARATION OF REFTEL A POSSIBLE PROBLEM INVOLVING ARTICLE 24 OF THE DRAFT CONVENTION HAS COME TO OUR ATTENTION. THE INDIAN CITIZENSHIP ACT OF 1955 (ARTICLE 4) PROVIDES THAT A PERSON BORN OUTSIDE OF INDIA OF AN INDIAN FATHER ACQUIRES INDIAN NATIONALITY AT BIRTH. IT WOULD APPEAR THAT ACQUISITION OF THE CITIZENSHIP OF ANOTHER COUNTRY AFTER 1955 DOES NOT TERMINATE INDIAN CITIZENSHIP (ARTICLE 9). AN ACT OF RENUNCIATION BEFORE A GOI AUTHORITY WOULD APPEAR TO BE REQUIRED (ARTICLE 8). IN OTHER WORDS, A PERSON BORN IN THE US OF AN INDIAN FATHER OR AN INDIAN NATIONAL WHO ACQUIRED US CITIZENSHIP THROUGH NATURALIZATION THEORETICALLY IN INDIAN EYES MIGHT BE SUBJECT TO THE PROVISIONS OF ARTICLE 24 OF THE DRAFT CONVENTION. ON THE OTHER HAND, NATURALIZED AMERICAN CITIZENS OF INDIAN ORIGIN HAVE IN PRACTICE BEEN TREATED AS FOREIGNERS WHEN TRAVELING OR RESIDING IN INDIA, I.E. HAVE BEEN ISSUED INDIAN VISAS
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AND HAVE BEEN REGISTERED BY THE FOREIGNERS REGIONAL REGISTRATION OFFICE.
SCHNEIDER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Concepts: n/a
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Copy: SINGLE
Sent Date: 01-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition History: n/a
Disposition Reason:
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Litigation History:
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Original Classification: LIMITED OFFICIAL USE
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Original Previous Classification: n/a
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